IN THE HIGH COURT OF JUDICATURE AT BOMBAY
ORDINARY ORIGINAL CIVIL JURISDICTION

INCOME TAX APPEAL NO.49 OF 2003

The Commissioner of Income-tax,
City - IX, Bombay .. Appellant.
V/s.
M/s.Vital Pharmacal Pvt. Ltd. .. Respondent.

Mr.Vinjay Kantharia i/b. K.B. Rao for the appellant.

CORAM : R.M. LODHA, &
J.P. DEVADHAR, JJ.

DATED : 16TH SEPTEMBER, 2004.

P.C. :

The learned counsel for the revenue submits that the issue raised in this appeal is concluded by the judgment of the Apex Court and, therefore, he has instructions to withdraw the appeal.

2. We accept the statement of the learned counsel for the revenue and allow the appeal to be withdrawn.

3. Refund of court fee as per law.

(R.M. LODHA, J.)

(J.P. DEVADHAR, J.)